

ASSEMBLY BILL

No. 305

Introduced by Assembly Member Gonzalez

February 12, 2015

An act to amend Section 1174 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 305, as introduced, Gonzalez. Employers: payroll records.

Existing law requires an employer to furnish to the Industrial Welfare Commission, upon request, reports or information regarding the wages, hours, and other information that the employer is required by law to keep regarding his or her employees. A violation of this provision is a crime.

This bill would make a nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1174 of the Labor Code is amended to
2 read:
3 1174. ~~Every~~Any person employing labor in this state shall:
4 (a) Furnish to the commission, at its request, reports or
5 information that the commission requires to carry out this chapter.
6 The reports and information shall be verified if required by the
7 commission or any member thereof.
8 (b) Allow any member of the commission or the employees of
9 the Division of Labor Standards Enforcement free access to the

1 place of business or employment of the person to secure any
2 information or make any investigation that they are authorized by
3 this chapter to ascertain or make. The commission may inspect or
4 make excerpts, relating to the employment of employees, from the
5 books, reports, contracts, payrolls, documents, or papers of the
6 person.

7 (c) Keep a record showing the names and addresses of all
8 employees employed and the ages of all minors.

9 (d) Keep, at a central location in the state or at the plants or
10 establishments at which employees are employed, payroll records
11 showing the hours worked daily by and the wages paid to, and the
12 number of piece-rate units earned by and any applicable piece rate
13 paid to, employees employed at the respective plants or
14 establishments. These records shall be kept in accordance with
15 rules established for this purpose by the commission, but in any
16 case shall be kept on file for not less than three years. An employer
17 shall not prohibit an employee from maintaining a personal record
18 of hours worked, or, if paid on a piece-rate basis, piece-rate units
19 earned.